

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DAVID J. W. TYRAN JR.,

Plaintiff,

Civil Action No. 18-CV-10551

vs.

HON. BERNARD A. FRIEDMAN

UNITED STATES OF AMERICA,

Defendant.

/

**OPINION AND ORDER GRANTING PLAINTIFF'S APPLICATION TO PROCEED
IN FORMA PAUPERIS AND DISMISSING THE COMPLAINT AS FRIVOLOUS**

This matter is before the Court on the Court's own review of the complaint and application to proceed *in forma pauperis* [docket entries 1 and 2].

Plaintiff alleges that over the past fifteen years he has “continuously” been “assaulted” and “harassed” by private and public persons. Compl. pp. 1–2. He has also been “medically neglected and denied civil assistance” by governmental “health agencies.” *Id.* at 1. This has caused him “extensive physical and emotional problems.” *Id.* Plaintiff requests monetary damages in the modest amount of \$50 billion. *Id.* at 3.

First, the Court grants plaintiff’s application to proceed *in forma pauperis*. Under 28 U.S.C. § 1915(a)(1), the Court may waive a person’s filing fees if he shows that he is “unable to pay such fees.” Here, plaintiff avers that he is “indigent and live[s] on public assistance.” Compl. p. 1. Therefore, the Court finds him unable to pay the required filing fee.

Second, the Court dismisses plaintiff’s complaint. Section 1915(e)(2)(B)(i) states that the Court “shall dismiss the case at any time if the court determines that the” action “is

frivolous.” An action is frivolous “if it lacks an arguable basis in law or fact.” *Brown v. Bargery*, 207 F.3d 863, 866 (6th Cir. 2000).

Here, plaintiff’s allegations are so vague that they are meaningless. No defendant—were any identified—could possibly be put on notice as to what claims it would have to defend against. Indeed, plaintiff has said nothing more than, “Public and private persons have hurt me and the government has neglected me.” By itself, this allegation clearly lacks a basis in law and fact and is therefore frivolous. Pro se filings should be construed liberally, *Haines v. Kerner*, 404 U.S. 519, 520–21 (1972), but the Court’s liberality is not limitless.

Accordingly,

IT IS ORDERED that plaintiff’s application for leave to proceed *in forma pauperis* is granted.

IT IS FURTHER ORDERED that plaintiff’s complaint is dismissed.

Dated: February 22, 2018
Detroit, Michigan

s/Bernard A. Friedman
BERNARD A. FRIEDMAN
SENIOR UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court’s ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on February 22, 2018.

s/Johnetta M. Curry-Williams
Case Manager